

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MCOM IP, LLC,)	
Plaintiff,)	
)	Civil Action No. 6:21-cv-00196
v.)	
)	
CSI, INC.)	JURY TRIAL DEMANDED
Defendant.)	

PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

mCom IP, LLC (“mCom”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 8,862,508 (“the ‘508 patent”) (referred to as the “Patent-in-Suit”) by CSI, Inc. (“CSI”).

I. THE PARTIES

1. Plaintiff mCom is a Texas Limited Liability Company with its principal place of business located in Harris County, Texas.

2. On information and belief, CSI is a corporation existing under the laws of the State of Delaware, with a principal place of business located at 10900 Stonelake Blvd, Suite 100, Austin, Texas 78759. On information and belief, CSI sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district. Defendant may be served at its place of business.

II. JURISDICTION AND VENUE

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff’s claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas and in this judicial district.

5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has committed acts of infringement and has a regular and established place of business in this District. Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Texas and this District.

III. INFRINGEMENT

A. Infringement of the '508 Patent

6. On October 14, 2014, U.S. Patent No. 8,862,508 ("the '508 patent", attached as Exhibit A) entitled "System and method for unifying e-banking touch points and providing personalized financial services" was duly and legally issued by the U.S. Patent and Trademark Office. MCom owns the '508 patent by assignment.

7. The '508 patent relates to novel and improved systems and methods for constructing a unified banking system.

8. CSI maintains, operates, and administers methods and systems of unified banking systems that infringe one or more claims of the '508 patent, including one or more of claims 1-20, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the '508 Patent into

service (i.e., used them); but for Defendant's actions, the claimed-inventions embodiments involving Defendant's products and services would never have been put into service. Defendant's acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant's procurement of monetary and commercial benefit from it.

9. Support for the allegations of infringement may be found in the following preliminary table:

Exemplary Claim	CSI
<p>1. A method for constructing a unified electronic banking environment, said method comprising the steps of:</p>	<p>Looking for an integrated core that does it all?</p> <p>Our <u>cloud-based core banking solution</u> simplifies bank operations and provides the foundation for everything you do, from onboarding and servicing loans to processing withdrawals and deposits.</p> <p>Attachment 1 (Core platform) at 1.</p> <p>Source: https://www.csiweb.com/how-we-help/platform-banking/core-bank-processing/core-platform/</p>
<p>providing at least one common multi-channel server coupled to more than one e-banking touch points and also coupled to at least one computer system configured with at least one control console, said more than one e-banking touch points and said at least one</p>	

Exemplary Claim	CSI
<p>computer system being provided in locations remote from the other, and further wherein said more than one plurality of e-banking touch points are comprised of at least two different types of e-banking touch point devices, each of which comprise one or more of an automatic teller/transaction machine (ATM), a self service coin counter (SSCC), a kiosk, a digital signage display, an online accessible banking website, a personal digital assistant (PDA), a personal computer (PC), a laptop, a wireless device, or a combination of two or more thereof, and wherein at least one of said e-banking touch points is in communication with one or more financial institutions through said multi-channel server;</p>	<p><u>Full integration across banking platforms</u></p> <p>Responsive, cloud-based architecture that eliminates hardware and software expenditures</p> <p>Customized views of information at both the bank and user level</p> <p><u>System flexibility so services are available to each user at any bank workstation</u></p> <p><u>Robust reporting tools</u> that track, monitor and analyze performance</p> <p>Full suite of integrated core processing applications</p> <p>Platform fluidity so banks establish core operations relevant to their needs</p> <p>Consolidation of all loans into a single application</p> <p>Account analysis with insight into customer performance and profitability</p> <p>Detailed reporting tools for improved visibility</p> <p><u>Access to your core using a tablet or mobile device</u></p> <p>Attachment 2 (core bank processing) at 1.</p> <p>Source: https://www.csiweb.com/how-we-help/platform-banking/core-bank-processing/</p> <p>at least one common multi-channel server coupled to more than one e-banking touch points and also coupled to at least one computer system configured with at least one control console, said more than one e-banking touch points and said at least one computer system being provided in locations remote from the other, and further wherein said more than one plurality of e-banking touch points are comprised of at least two different types of e-banking touch point devices, each of which comprise one or more of an automatic teller/transaction machine (ATM), a self service coin counter (SSCC), a kiosk, a digital signage display, an online accessible banking website, a personal digital assistant (PDA), a personal computer (PC), a laptop, a wireless device, or a combination of two or more thereof, and wherein at least one of said e-banking touch points is in communication with one or more financial institutions through said multi-channel server are common sense in the field.</p>

Exemplary Claim	CSI
	<div data-bbox="397 262 1516 1129"><p>The diagram illustrates a distributed environment for internet banking. It features a central 'Bank WAN' cloud. On the left, an 'Internet' cloud connects to a router, which then connects to a 'DMZ WS' (Web Server) box. The 'Bank WAN' cloud contains an 'App Srv' (Application Server) box, an 'L 3 Switch' (Layer 3 Switch) box, and three branch clouds labeled 'Branch 1', 'Branch 2', and 'Branch N'. Each branch cloud contains an 'MW & DB' (Middleware & Database) box. The 'L 3 Switch' is connected to the 'App Srv' and the 'ATM switch /Router' box. The 'ATM switch /Router' box is connected to the 'MW & DB' boxes in each branch cloud. A 'VLAN' box is also shown connected to the 'App Srv'.</p></div> <p>Source: https://www.slideshare.net/KumarAnilChaurasiya/internet-banking-architecture-and-implementation</p> <h2>Digital Banking Solutions that Deliver</h2> <p>The battle over new customers in today's financial sector is won and lost on the screens of their favorite devices. <u>Stay ahead of the curve and the competition with CSI's mobile and online banking technology. Our suite of digital banking products is fully integrated into our core solution, allowing you and your customers to stay connected at any time, on any device.</u></p> <p>Attachment 4 (Mobile and Online Banking)</p>

Exemplary Claim	CSI
	<p>Source: https://www.csiweb.com/how-we-help/platform-banking/digital-banking/mobile-online-banking/</p>
<p>receiving an actionable input from at least one e-banking touch point;</p>	<p>Mobile Banking App</p> <p>Mobile banking technology puts your bank in the palms of your customers' hands—no matter where they are. <u>CSI's mobile banking platform provides convenience and 24/7 access that builds meaningful relationships with your retail and commercial customers—all on their preferred mobile devices.</u> Integrated with CSI's <u>core banking platform</u>, our mobile banking app gives your bank access to a customizable, user-friendly suite of features. Our app is compatible with multiple devices and simplifies banking for your customers by allowing them to:</p> <p>Attachment 4 (Mobile and Online Banking)</p> <p>Source: https://www.csiweb.com/how-we-help/platform-banking/digital-banking/mobile-online-banking/</p>
<p>retrieving previously stored data associated with said actionable input, wherein said previously stored data is accessible to any one of said e-banking touch points, and said</p>	

Exemplary Claim	CSI
<p>previously stored data comprises data from one or more financial institutions and one or more user-defined preferences;</p>	<h2 data-bbox="410 264 995 306">CSI IQ Data Processing Solution</h2> <p data-bbox="410 359 1300 510">CSI IQ lets your bank harness the power of big data and analytics by changing the way you view and process information. Fully integrated into our core banking solutions, CSI IQ changes the way your financial institution sees your customers and your business. As an integrated business intelligence and bank data processing solution, CSI IQ helps your financial institution make informed decisions that drive your bottom line by offering:</p> <ul data-bbox="427 537 1276 638" style="list-style-type: none"> ■ Detailed customer data like account relationships, demographic profiles, transactions activities, past interactions and more ■ Greater customer search capabilities and information through an interactive, visual interface <p data-bbox="399 688 802 720">Attachment 5 (Banking Analytics)</p> <p data-bbox="399 753 1503 827">Source: https://www.csiweb.com/how-we-help/platform-banking/core-bank-processing/banking-analytics/</p>
<p>delivering said retrieved data to said at least one e-banking touch point transmitting said actionable input;</p>	<h2 data-bbox="399 1068 943 1110">Banking Analytics Dashboard</h2> <p data-bbox="399 1163 1312 1218">Condense all your bank's big data reports into a single, convenient snapshot with CSI's banking analytics dashboard. Our tool helps your employees quickly visualize trends utilizing your bank's data by:</p> <ul data-bbox="410 1245 1154 1367" style="list-style-type: none"> ■ Integrating with data directly from your core banking system ■ Crafting simple, graphic representations of your bank's data ■ Identifying bank performance metrics to evaluate employee and consumer trends <p data-bbox="399 1478 802 1509">Attachment 5 (Banking Analytics)</p> <p data-bbox="399 1543 1503 1617">Source: https://www.csiweb.com/how-we-help/platform-banking/core-bank-processing/banking-analytics/</p>

Exemplary Claim	CSI
<p>storing transactional usage data associated with said at least one e-banking touch point transmitting said actionable input, wherein said stored transactional usage data is accessible by any one of said more than one e-banking touch points and said at least one computer system;</p>	<h2 data-bbox="402 258 1263 310">Bank Data Analytics for Executives</h2> <p data-bbox="402 380 1321 478">Maximize the effectiveness of your bank's data to create informed and profitable business decisions. CSI's bank data analytics tool gathers your bank's daily performance metrics, making it easy to analyze the performance of your employees, customers and branches by:</p> <ul data-bbox="451 506 1305 680" style="list-style-type: none"> <li data-bbox="451 506 1143 533">Presenting executive-level information through customizable reports <li data-bbox="451 562 1305 625">Building ad hoc reports to depict graphical representations of real-time data on a set schedule <li data-bbox="451 655 974 680"><u>Providing cold storage for archival and easy access</u> <p data-bbox="402 724 802 751">Attachment 5 (Banking Analytics)</p> <p data-bbox="402 793 1500 863">Source: https://www.csiweb.com/how-we-help/platform-banking/core-bank-processing/banking-analytics/</p>
<p>monitoring via said server an active session in real-time for selection of targeted marketing content correlated to said user-defined preferences;</p>	<h2 data-bbox="402 972 1122 1014">The Payoff of Digital Payments Solutions</h2> <p data-bbox="402 1066 1266 1182">Our innovative payment solutions offer more than an exceptional customer digital experience. They also expand your service offerings, enabling your financial institution to grow fee income opportunities, reduce cost-to-serve ratios and remain competitive in an increasingly digital world. With our digital payments solutions, you gain several additional benefits:</p> <ul data-bbox="418 1205 1273 1444" style="list-style-type: none"> <li data-bbox="418 1205 1187 1230">■ Provide your retail and commercial customers with convenient money movement options <li data-bbox="418 1253 1273 1308">■ Move transactions out of high-cost channels, such as your branch network, and into low-cost digital channels <li data-bbox="418 1331 1198 1356">■ Present a consistent and simple experience between mobile and online banking platforms <li data-bbox="418 1379 776 1404">■ Keep your customers' payments secure <li data-bbox="418 1428 906 1444">■ <u>Provide cross-selling opportunities through advertising</u> <p data-bbox="402 1560 792 1587">Attachment 6 (Digital Payments)</p> <p data-bbox="402 1629 1500 1698">Source: https://www.csiweb.com/how-we-help/platform-banking/digital-banking/digital-payments/</p>
<p>subsequent to said monitoring, selecting in real-time said</p>	

Exemplary Claim	CSI
targeted marketing content correlated to said user-defined preferences; and	<p data-bbox="427 279 1268 321">Looking for an integrated core that does it all?</p> <p data-bbox="412 436 1276 600">Our <u>cloud-based core banking solution</u> simplifies bank operations and provides the foundation for everything you do, from onboarding and servicing loans to processing withdrawals and deposits.</p> <p data-bbox="397 709 818 741">Attachment 1 (Core platform) at 1.</p> <p data-bbox="475 772 1425 846">Source: https://www.csiweb.com/how-we-help/platform-banking/core-bank-processing/core-platform/</p> <p data-bbox="402 888 1143 930">The Payoff of Digital Payments Solutions</p> <p data-bbox="402 982 1289 1098">Our innovative payment solutions offer more than an exceptional customer digital experience. They also expand your service offerings, enabling your financial institution to grow fee income opportunities, reduce cost-to-serve ratios and remain competitive in an increasingly digital world. With our digital payments solutions, you gain several additional benefits:</p> <ul data-bbox="415 1125 1299 1371" style="list-style-type: none"> ■ Provide your retail and commercial customers with convenient money movement options ■ Move transactions out of high-cost channels, such as your branch network, and into low-cost digital channels ■ Present a consistent and simple experience between mobile and online banking platforms ■ Keep your customers' payments secure ■ <u>Provide cross-selling opportunities through advertising</u> <p data-bbox="397 1486 794 1518">Attachment 6 (Digital Payments)</p> <p data-bbox="397 1549 1503 1623">Source: https://www.csiweb.com/how-we-help/platform-banking/digital-banking/digital-payments/</p>

Exemplary Claim	CSI
<p>transmitting in real-time said targeted marketing content during said active session to at least one of said e-banking touch points for acceptance, rejection, or no response by a user, wherein said response by said user is used during said active session to determine whether transmission of additional information related to said marketing content occurs during said active session.</p>	<h2 data-bbox="402 268 1182 310">The Payoff of Digital Payments Solutions</h2> <p data-bbox="402 369 1339 491">Our innovative payment solutions offer more than an exceptional customer digital experience. They also expand your service offerings, enabling your financial institution to grow fee income opportunities, reduce cost-to-serve ratios and remain competitive in an increasingly digital world. With our digital payments solutions, you gain several additional benefits:</p> <ul data-bbox="418 520 1349 779" style="list-style-type: none"> ■ Provide your retail and commercial customers with convenient money movement options ■ Move transactions out of high-cost channels, such as your branch network, and into low-cost digital channels ■ Present a consistent and simple experience between mobile and online banking platforms ■ Keep your customers' payments secure ■ Provide cross-selling opportunities through advertising <h3 data-bbox="402 894 792 919">Attachment 6 (Digital Payments)</h3> <p data-bbox="402 961 1503 1031">Source: https://www.csiweb.com/how-we-help/platform-banking/digital-banking/digital-payments/</p> <h2 data-bbox="427 1157 1268 1192">Looking for an integrated core that does it all?</h2> <p data-bbox="412 1308 1276 1472">Our cloud-based core banking solution simplifies bank operations and provides the foundation for everything you do, from onboarding and servicing loans to processing withdrawals and deposits.</p> <h3 data-bbox="402 1581 818 1606">Attachment 1 (Core platform) at 1.</h3> <p data-bbox="475 1648 1425 1717">Source: https://www.csiweb.com/how-we-help/platform-banking/core-bank-processing/core-platform/</p>

These allegations of infringement are preliminary and are therefore subject to change.

10. CSI has and continues to induce infringement. CSI has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to construct a unified banking system such as to cause infringement of one or more of claims 1–20 of the '508 patent, literally or under the doctrine of equivalents. Moreover, CSI has known of the '508 patent and the technology underlying it from at least the date of issuance of the patent.

11. CSI has and continues to contributorily infringe. CSI has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., construction of unified banking system) and related services that provide unified banking systems such as to cause infringement of one or more of claims 1–20 of the '508 patent, literally or under the doctrine of equivalents. Moreover, CSI has known of the '508 patent and the technology underlying it from at least the date of issuance of the patent.

12. CSI has caused and will continue to cause MCom damage by direct and indirect infringement of (including inducing infringement of) the claims of the '508 patent.

IV. JURY DEMAND

MCom hereby requests a trial by jury on issues so triable by right.

V. PRAYER FOR RELIEF

WHEREFORE, MCom prays for relief as follows:

- a. enter judgment that Defendant has infringed the claims of the '508 patent;

- b. award MCom damages in an amount sufficient to compensate it for Defendant's infringement of the '508 patent in an amount no less than a reasonable royalty or lost profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;
- c. award MCom an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
- d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award MCom its attorneys' fees, expenses, and costs incurred in this action;
- e. declare Defendant's infringement to be willful and treble the damages, including attorneys' fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. § 284;
- f. a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendant and its agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendant from infringing the claims of the Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an amount consistent with the fact that for future infringement the Defendant will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and
- g. award MCom such other and further relief as this Court deems just and proper.

Respectfully submitted,

Ramey & Schwaller, LLP

A handwritten signature in blue ink, appearing to read 'WPR', followed by a large, stylized loop.

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